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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

LUIS SARABIA,

Plaintiff,

v.

VERO TECHNOLOGIES. INC., and
TRANS UNION, LLC,

Defendants.

Case No. 2:23-cv-00377-MMD-DJA

**JOINT MOTION AND ORDER TO
EXTEND DISCOVERY DEADLINES ~~AND~~
~~CONTINUE TRIAL~~**

(FIFTH REQUEST)

Plaintiff Luis Sarabia (“Plaintiff”), and Defendants Trans Union LLC (“Trans Union”), and Vero Technologies, Inc. (“Vero”) (“the Parties”) hereby jointly move to extend all remaining discovery deadlines by a period of ninety (90) after Plaintiff’s pending Motion to Correct the Name of the Proper Party (“Motion to Correct”) from Trans Union to TransUnion Rental Screening Solutions, Inc. (“TURSS”) is granted by this Court

1. On March 9, 2023, Plaintiff filed his Complaint against (ECF No. 1), against Defendant Vero, only.

1 2. On September 1, 2023, Plaintiff filed a Motion to Amend his Complaint to add
2 Trans Union as a party (ECF. No. 28), which was granted by the Court on November 29, 2023
3 (ECF No. 35).

4 3. Trans Union filed its Answer to Plaintiff's Amended Complaint on January 23,
5 2024 (ECF No. 43).

6 4. On February 6, 2024, Plaintiff filed a Motion to Correct the Name of the Proper
7 Party, requesting that Trans Union be replaced as a defendant by the proper party TransUnion
8 Rental Screening Solutions, Inc.(ECF No. 47). This Motion to Correct is currently pending
9 before the Court.

10 5. The parties have completed the following discovery to date:

- 11 a. On July 12, 2023, Sarabia served his Initial Disclosures and has served one
12 supplement thereto.
- 13 b. On August 17, 2023, Vero served its Initial Disclosures.
- 14 c. On July 12, 2023, Plaintiff served his First Discovery Requests on Vero,
15 which have been responded to.
- 16 d. On August 22, 2023, Vero served its First Discovery Requests to Plaintiff,
17 which have been responded to.
- 18 e. On August 22, 2023, Vero served its Notice of Deposition on Plaintiff, but no
19 deposition has occurred yet due to the pending addition of TransUnion, and
20 then TURSS as a party.
- 21 f. On December 8, 2023, Vero served its Second set of Discovery Requests to
22 Plaintiff, which have been responded to.
- 23 g. On February 7, 2024 Plaintiff served his Second Amended Notice of
24 Deposition on Vero, but no deposition has occurred yet.
- 25 h. On February 12, 2024, Plaintiff served his First Discovery Requests on
26 TURSS (not yet a proper party but in anticipation of the Court granting
27 Plaintiff's Motion to Correct)¹.

28

¹ TURSS' deadline to respond is 30 days after the Court grants Plaintiff's Motion to Correct.

i. On February 13, 2024, TURSS (not yet a proper party but in anticipation of the Court granting Plaintiff's Motion to Correct) served its First Discovery Requests on Plaintiff.²

j. On March 8, 2024, Plaintiff served his responses to TransUnion's discovery requests.

6. The Parties still need to conduct depositions, potentially additional written discovery, serve subpoenas, conduct third-party depositions, and conduct expert discovery.

7. The Parties require more time and accompanying deadlines from the Court to adequately conduct discovery due to Trans Union and then TURSS' late additions to this case.

8. Good cause exists for the requested extension, namely, Trans Union did not make its first appearance in this case until nearly eleven months after it was commenced. Given that Trans Union is not the correct party and TURSS is the correct party, neither party has been able to participate in discovery or previously noticed depositions and one added, TURSS will not have adequate time to conduct discovery under the current deadlines, the Parties cannot fully investigate and litigate this action within the standard discovery period.

9. The additional time will allow the Parties to conduct additional fact discovery, including taking depositions, potentially additional written discovery, acquiring all documents from third-parties, resolving any discovery issues, and additional time to adequately determine whether expert discovery will be needed in this matter. The Parties have also engaged in settlement discussions and the additional time will assist in continuing those discussions and explore a mediation or settlement conference

10. No party will be prejudiced by this Court granting this Stipulation as all parties jointly seek an extension of these deadlines. Moreover, the Parties believe that allowing the extension will serve the ends of judicial economy.

11. Moreover, the requested extensions are not sought for the purposes of delay.

12. This is the current Parties' first request to extend these deadlines.

13. The current deadlines are as follows:

² Plaintiff's deadline to respond is 30 days after the Court grants Plaintiff's Motion to Correct.

Discovery Cut-off **04/08/2024**

Deadline to File Dispositive Motions **05/06/2024**

Deadline to File Proposed Joint Pretrial Order **06/05/2024**

14. The parties request adoption of the following deadlines:

Discovery Cut-off **08/08/2024**

Deadline to File Dispositive Motions **09/05/2024**

Deadline to File Proposed Joint Pretrial Order **10/03/2024**

15. This is all of the Parties' first joint request for an extension of the discovery deadlines (ECF No. 26). However, on August 29, 2023, Plaintiff filed his first request to extend the discovery deadlines (ECF No. 26). This Court denied Plaintiff's first request to extend the discovery deadlines (ECF No. 27). Plaintiff moved again for an extension of the discovery deadlines on September 14, 2023 (ECF No. 29) which he identified as his third request to extend the deadlines. This Court granted Plaintiff's request and on November 29, 2023 (ECF No. 35).

16. Plaintiff and Vero filed a Joint Motion to Extend Discovery Deadlines and Continue Trial on January 8, 2024 (ECF No. 39). This Court granted Plaintiff and Vero's request and ordered the current discovery deadlines on January 9, 2024 (ECF No. 40).

WHEREFORE, Plaintiff, Trans Union, and Vero respectfully request this Honorable Court (1) extend discovery in the present matter as set forth above; and (2) reissue a new Scheduling Order to reflect the requested extension.

1 DATED: March 19, 2024

2 **QUILLING, SELANDER, LOWNDS,**
3 **WINSLETT & MOSER, P.C.**

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/s/ Beth Findsen

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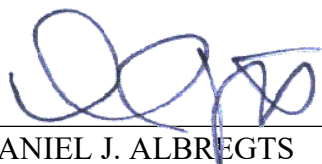
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Counsel for Vero Technologies, Inc.

ORDER

22 Having reviewed the parties' joint motion, the Court notes that the parties seek a ninety-day
23 extension, but include deadlines demonstrating a 120-day extension. The Court nonetheless
24 finds good cause to GRANT the 120-day deadlines requested. IT IS SO ORDERED.

25 DATED: 3/20/2024

26 

27 DANIEL J. ALBREGTS

28 UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of March 2024, I filed **JOINT MOTION AND ORDER TO EXTEND DISCOVERY DEADLINES AND CONTINUE TRIAL** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel:

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